

U.S.S.N. 09/943,607

- 2 -

25035 A (OC 0113 PA)

REMARKS

Claims 1-21 are pending in the above application.

Claims 5-7 and 15 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner first notes in making this rejection that these claims contain limitations defined by trademarks, and as such the generic formula or products that are identified by trademarks are subject to change.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sage, Jr. (U.S. Patent No. 6,436,476 B1) in view of Yamada et al. (U.S. Patent No. 4,427,482). In making this rejection, the Examiner first notes that Sage teaches reinforcing fibers coated with an aqueous dispersion of an epoxy urethane film former, further teaching that other additives and processing aids can be included, such as thickeners and acrylic polymers. The Examiner further notes that Yamada teaches that fillers such as calcium carbonate can be added to resin compositions for coating to reduce the stickiness of the fibers.

Regarding the Examiner's rejection of claims 5-7, 9 and 15 as being indefinite because each of the claims uses generic products that are identified by trademarks that are subject to change, Applicants respectfully traverse the Examiner's rejection.

MPEP Section 2173.05(u) states "The presence of a trademark or a trade name in a claim is not per se improper under 35 U.S.C. §112, second paragraph, but the claim should be carefully analyzed to determine how the mark or name is used in the claim." The section further continues " The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product." Applicants respectfully submit that the trademarks used in claims 5-7, 9 and 15 all recited products defined by an unchangeable trade name designation. The composition of each trade name in each claim refers to a specific product comprised of specific

U.S.S.N. 09/943,607

- 3 -

25035 A (OC 0113 PA)

components. If the product were modified, the trade name designation would change to reflect the modification. The trade name "Drewfloc 270" in claim 5, "Epirez 3456" in claim 6, "Witcobond W290H" in claim 7, "Amicure CG 1400" in claim 9 and "Georgia Marble Calwhite II" in claim 15 each refer to a product composition which is identifiable and definite as to generic formula and composition. Therefore, contrary to the Examiner's analysis, claims 5-7, 9 and 15 do particularly point out and distinctly claim the subject matter which the Applicants regard as the invention, and are thus allowable. Reconsideration of claims 5-7, 9, and 15 is therefore respectfully requested.

Regarding the rejection of claims 1-21 under 35 U.S.C. §103(a) as being obvious over Sage Jr. in view of Yamada et al., Applicants respectfully traverse the Examiner's rejection.

The Sage Jr. patent is directed to the process for making a composite article and a composition for coating glass and or other fiber reinforcement to improve the fiber's compatibility and adhesion to a polyolefin resin. The process begins by coating fibers with a coating composition including a silane, an optional pH modifying agent, and an optional lubricant, wherein the silane is compatible with one or more ROMP catalysts. As noted in column 5, lines 32-55, the coating composition may include an optional film former such as an epoxy, polyurethane, or epoxy polyurethane. The coated fibers are then contacted with an uncured cycloolefin resin and one or more ROMP catalysts. The mixture is cured to form a composite article.

The present invention of claims 1-21 describe a chemical treatment used in forming a string binder. A string binder, as described in paragraphs [0007-9] of the present application, describes a fibrous material having a resin binder. A preform may then be formed from the string binder by chopping the string binder onto a mold and melting the resin binder to bind together the chopped fibrous strands. A reinforced composite may then be made from the preform by placing the preform in a mold, injecting a polymer matrix resin, and curing the polymer matrix onto and within the preform.

U.S.S.N. 09/943,607

- 4 -

25035 A (OC 0113 PA)

The Sage Jr. patent does not describe an epoxy urethane string binder (equivalent to a reinforcing fiber having an applied chemical treatment as described in claim 1) as claimed in claims 1-21 of the present invention. Instead, the Sage Jr. patent describes a composite article. Further, the Sage Jr. patent does contemplate the use of a filler material such as calcium carbonate to reduce fiber prominence in finished composite articles made from string binders as in the present claims. Claims 1-21 are therefore novel, notwithstanding the Sage Jr. reference.

Yamada teaches a method for preparing a prepreg roving and preforms and molded articles made therefrom. The prepreg roving is made by impregnating a filamentary reinforcing fiber with a resin composition comprising an unsaturated polyester, an unsaturated monomer, and a polyisocyanate compound. To reduce the stickiness of the prepreg roving, a filler such as calcium carbonate may be added to the resin composition or to the roving in a subsequent step. The prepreg roving may then heated and cured to form a composite part.

The prepreg roving, as described in Yamada, is thus not a string binder which is subsequently combined with a polymer matrix resin within a mold to form a composite article. Further, the prepreg roving of Yamada does not utilize an emulsified epoxy resin and an polyurethane dispersion and thus cannot be considered an epoxy urethane string binder. Further, the Yamada reference does not contemplate the use of a filler to reduce or minimize fiber prominence and blistering on the surface of the molded composite part made from an epoxy urethane string binder.

Applicants therefore submit that the combination of Sage Jr. and Yamada would not render obvious Applicants' claimed invention because Sage Jr. or Yamada, either alone or in combination, do not disclose or suggest a string binder, much less an epoxy urethane string binder, used in forming a composite article. Further, neither Sage Jr. or Yamada, alone or in combination, disclose or suggest the addition of a filler material to

U.S.S.N. 09/943,607

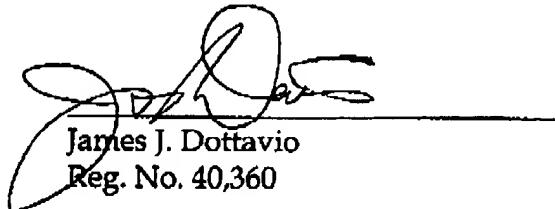
- 5 -

25035 A (OC 0113 PA)

a string binder that reduces surface fiber prominence and blistering of composite articles.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-21 are allowable. The Examiner is invited to telephone the Applicants' undersigned attorney, at (614) 321-7162 if any unresolved matters remain.

Respectfully Submitted,



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Dated: 12-12-02